IN THE UNITED STATES DISTRICT COURT FILED FOR THE EASTERN DISTRICT OF TEXASSTERN DISTRICT OF TEXAS SHERMAN DIVISION NOV 0 3 2009

HILLWOOD ENTERPRISES, L.P., Plaintiff	§ § §	DAVID J. MALAND, CLERK BY DEPUTY
v.	§ 8	
INTEL CORPORATION,	§ §	
Defendant,	§ 8	4:08cv112
v.	§	
COUNCIL PROPERTIES, LLC,	§ 8	
Intervenor.	§	

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On October 9, 2009, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Intel Corporation's Motion to Reopen Case (Dkt. 178) be GRANTED, that all pending motions in limine (Dkts. 132, 137, 138, 139, 140, 141, 142, & 143) and Intel's expert motion (Dkt. 97) be DENIED without prejudice, and that Intel Corporation's Motion for Award of Attorneys' Fees (Dkt. 181) be DENIED as premature.

The court, having made a *de novo* review of the objections raised by Hillwood and Intel's response, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of Hillwood are without merit. Therefore, the court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this court. Intel

Corporation's Motion to Reopen Case (Dkt. 178) is GRANTED, all pending motions in limine (Dkts. 132, 137, 138, 139, 140, 141, 142, & 143) and Intel's expert motion (Dkt. 97) are DENIED without prejudice, and Intel Corporation's Motion for Award of Attorneys' Fees (Dkt. 181) is DENIED as premature.

IT IS SO ORDERED.

SIGNED this 2nd day of Nov., 2009.

UNITED STATES DISTRICT JUDGE